

Doc. No. 333058 WEMHH/SB/21 (6/04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/723,561	
	Filing Date	November 26, 2003	
	First Named Inventor	James R. Barber	
	Art Unit	3673	
	Examiner Name	Michael Trettel	
Total Number of Pages in This Submission	24	Attorney Docket Number	3050-137

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawings	<input type="checkbox"/> After Allowance communication to Group
<input checked="" type="checkbox"/> Fee Attached (PTO Credit Card Payment Form)	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	Return Receipt Postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) <input type="text"/>	
<input type="checkbox"/> Certified Copy of Priority Document(s)	Remarks	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or individual name	Brad A. Schepers, Reg. No. 45,431 Woodard, Emhardt, Moriarty, McNett & Henry LLP
Signature	
Date	February 22, 2005

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below	
Typed or printed name	Brad A. Schepers
Signature	
Date	February 22, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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FEB 25 2005

Doc. No. 333055 WEMMH/SB/17 (12/04)

OMB 0651-0032

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FEE TRANSMITTAL FOR FY 2005

Effective 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act (H.R. 4818).

☒ Applicant claims small entity status. See 37 CFR 1.27Total Amount of Payment (\$)**1,175.00****Complete if Known**

Application Number	10/723,561
Filing Date	November 26, 2003
First Named Inventor	James R. Barber
Group Art Unit	3673
Examiner Name	Michael Trettel
Attorney Docket Number	3050-137

METHOD OF PAYMENT (check all that apply)
☐ Check ☒ Credit card ☐ Money ☐ Other ☐ None ☐ Other (please identify): _____

☒ Deposit Account: Deposit Account Number **23-3030** Deposit Account Name **Woodard, Emhardt, Moriarty, McNett & Henry LLP**

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments ☒ Charge any additional fee(s) during the pendency of this application, excluding the payment of issue fees

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.
FEE CALCULATION:**1. BASIC FILING, SEARCH AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Plant	200	100	300	150	160	80	_____
Reissue	300	150	500	250	600	300	_____
Provisional	200	100	0	0	0	0	_____

2. EXCESS CLAIM FEES**Fee Description**

	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent	50	25
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims
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46 -43 or HP	=	3	x	25.00	=	75.00
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(HP = highest number of total claims paid for, if greater than 20)

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
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16 -5 or HP	=	11	x	100.00	=	1,100.00
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(HP = highest number of independent claims paid for, if greater than 3)

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
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_____	=	_____ / 50	=	_____ (round up to a whole number) x	_____ =	_____
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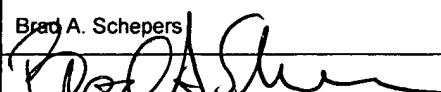
4. OTHER FEE(S)

Non-English Specification. \$130 fee (no small entity discount)

Fee Paid (\$)

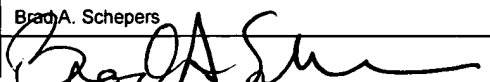
Other: _____

SUBMITTED BY:

Name (Print/Type):	Brad A. Schepers	Registration No.: (Attorney/Agent)	45,431	Telephone:	(317)634-3456
Signature:				Date:	February 22, 2005

CERTIFICATE OF MAILING OR TRANSMISSION

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Name (Print/Type)	Brad A. Schepers	Date	February 22, 2005
Signature			

IFW



003050-000137.315308

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:)	Before the Examiner:
James R. Barber)	Michael Trettel
)	
Serial No. 10/723,561)	Group Art Unit 3673
)	
Filed: November 26, 2003)	Ref. No.: 3050-137
)	
COIL INNERSPRING ASSEMBLY)	February 22, 2005
HAVING VARYING DEGREES OF)	
FIRMNESS)	

RESPONSE TO FIRST OFFICE ACTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Sir:

In response to the first Office Action dated November 26, 2004, please enter and consider the following amendments and remarks. Additionally, please provide any necessary extensions of time and charge any additional fees that may be due to Deposit Account No. 23-3030, but not to include payment of issue fees.

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February 22, 2005
Date of Deposit

Brad A. Schepers
Name of Registered Representative

Brad A. Schepers
Signature

February 22, 2005
Date of Signature

02/28/2005 RFEKADU1 00000028 10723561

01 FC:2202
02 FC:2201

75.00 OP
1100.00 OP